

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TREVOR SLOAN, JOSEPH BLEIBERG,
ARYEH LOUIS ROTHBERGER, KEVIN
FARR, ELMER ORPILLA, and SAGAR
DESAI, on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

ANKER INNOVATIONS LIMITED,
FANTASIA TRADING LLC, and POWER
MOBILE LIFE LLC,

Defendants.

Case No. 1:22-cv-07174

Honorable Sara L. Ellis

DEFENDANTS' OPPOSED MOTION FOR JUDGMENT ON THE PLEADINGS

Defendants Anker Innovations Limited, Fantasia Trading LLC, and Power Mobile Life LLC (collectively, "Defendants"), by undersigned counsel and pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, hereby move the Court for an order dismissing with prejudice the Biometric Information Privacy Act ("BIPA"), 740 Ill. Comp. Stat. 14/1 *et seq.*, claim brought by Plaintiffs Trevor Sloan or Elmer Orpillas ("Plaintiffs"). The grounds for this Motion, which are discussed fully in the accompanying Memorandum of Law in Support incorporated by reference, are as follows:

1. The extraterritoriality doctrine bars Plaintiffs' BIPA claim.

WHEREFORE, Defendants respectfully requests that this Court dismiss Plaintiffs' BIPA claim with prejudice.

**CERTIFICATE OF ATTORNEY CONFERENCE
AND PROPOSED BRIEFING SCHEDULE**

Pursuant to the Court's Case Procedures regarding Motion Practice, counsel for Defendants, Jim Houghton, met and conferred with counsel for Plaintiffs, Trenton Kashima, on February 6, 2025 via video conference and February 13 and 18, 2025 via email. The parties agreed that the issues to be raised in the Motion could not be resolved without filing the Motion due to the nature of the arguments which form the bases of the Motion.

The parties further propose the following briefing schedule for this Motion:

Event	Due Date
Motion to Dismiss	February 20, 2025
Opposition	March 24, 2025
Reply	April 14, 2025

[signatures on following page]

Dated: February 20, 2025

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Jim Houghton

Aravind Swaminathan (*Pro Hac Vice*), Lead Trial Attorney
401 Union Street, Suite 3300
Seattle, WA 98101
P: (206) 839-4340
aswaminathan@orrick.com

Yufeng (Ethan) Ma (Ill. Bar No. 6277936)
4703 Park Place
1601 Nanjing Road West
Shanghai, 200040
People's Republic of China
P: +86 21 6109 7108
yma@orrick.com

Michael Rosenberg (Ill. Bar No. 6340654)
353 N. Clark Street, Suite 3600
Chicago, IL 60654
P: (312) 924-9833
mrosenberg@orrick.com

Jim Houghton (*Pro Hac Vice*)
222 Berkeley Street, Suite 2000
Boston, MA 02116
P: (617) 880-1800
jhoughton@orrick.com

*Counsel for Defendants Anker Innovations Limited,
Fantasia Trading LLC, and Power Mobile Life LLC*

CERTIFICATION OF SERVICE

I, the undersigned, certify that on February 20, 2025, I filed the foregoing *Motion for Judgment on the Pleadings* with the Clerk of Court using the Court's CM/ECF system, which will cause a copy of said document to be electronically transmitted to all counsel of record.

By: /s/ Jim Houghton